

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DORIAN TREVOR SYKES,

Plaintiff,

vs.

**TIM DONNELLON, A. MILLER,
AND CORIZON HEALTH
CORPORATION.,**

Defendants.

2:20-cv-10689-TGB-KGA

HON. TERRENCE G. BERG
HON. KIMBERLY G. ALTMAN

**ORDER REQUIRING
DEFICIENCIES TO BE
CORRECTED WITHIN 30
DAYS**

In a previous Order the Court accepted and adopted—over Plaintiff’s objection—a Report and Recommendation issued by Magistrate Judge Kimberly G. Alman and dismissed the two remaining Defendants in this matter. ECF No. 104. Plaintiff now seeks to appeal this ruling to the Sixth Circuit and has filed a motion to proceed in forma pauperis (“IFP”), or without the prepayment of fees.

28 U.S.C. § 1915(a)(1) requires that a person seeking to maintain an appeal without prepaying the fee that would ordinarily apply must submit an affidavit including a statement “of all assets” that the person possesses, “the nature of the action, defense, or appeal,” and the affiant’s belief that the affiant is entitled to redress. § 1915(a)(1). Because Sykes is a prisoner, he must also submit a certified copy of his trust fund

account statement (or an institutional equivalent) for the 6-month period immediately preceding his notice of appeal. § 1915(a)(2).

While Plaintiff Sykes has submitted an affidavit in which he testifies that he is indigent and has no assets or sources of income, his affidavit does not include a statement relating to the nature of the action or his belief that he is entitled to relief. Nor has Plaintiff Sykes submitted a certified copy of his trust fund account statement, as required by § 1915(a)(2). The Court will afford Plaintiff Sykes 30 days to correct these deficiencies. If Plaintiff Sykes needs additional time to submit a corrected affidavit and inmate trust account statement, he may file a motion for an extension of time within 30 days after the date of this order.

Because Sykes is a prisoner, he will be required to pay the full filing fee otherwise applicable in installments. § 1915(b)(1). Once Sykes corrects the deficiencies the Court has identified, the Court shall assess an initial partial filing fee of 20 percent of the greater of either the average monthly deposits into Sykes' account; or the average monthly balance in Sykes' account for the 6-month period immediately preceding the filing of his notice of appeal. § 1915(b)(1)(A-B).

Accordingly, Plaintiff Sykes is **ORDERED** to file an affidavit and certified copy of his trust fund account statement for the six months immediately preceding his notice of appeal within 30 days. **IT IS FURTHER ORDERED** that if Plaintiff Sykes requires additional time to submit a completed affidavit and a certified copy of his trust fund

account statement, he may file a motion for an extension of time within 30 days.

SO ORDERED, this 7th day of September, 2022.

/s/Terrence G. Berg

TERRENCE G. BERG

United States District Judge